

(Published in The Journal Record April 11, 2012)

ORDINANCE NO. 24,443

AN ORDINANCE RELATING TO MOTOR VEHICLES AND TRAFFIC; AMENDING CHAPTER 32 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2010, BY CREATING SECTION 32-331; PROHIBITING VEHICLE IMMOBILIZATION BY OWNERS, OPERATORS, AND MANAGERS OF PRIVATE PARKING LOTS AND BY ANY PERSON WORKING FOR SUCH OWNERS, OPERATORS, OR MANAGERS; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION 1. That Section 32-331 in Division 1 of Article X of Chapter 32 of the Oklahoma City Municipal Code, 2010, is hereby enacted as follows:

ARTICLE X. STANDING AND PARKING IN GENERAL

DIVISION 1. GENERALLY

§32-331. Vehicle Immobilization Prohibited by Persons Owning, Operating, or Managing Private Parking Lots.

(a) *Citation of Authority.* This section is enacted under the general police power of The City of Oklahoma City, as granted to such City by the people pursuant to Section 3 of Article I of the Oklahoma City Charter, as amended.

(b) *Definitions.* The following words and phrases, when used in this section, shall, for the purposes of this division, have the following meanings except where context otherwise requires:

(1) *Private Parking Lot* shall mean any real property, structure, or lot owned, operated, or managed by a non-governmental party or entity and used for the paid parking or storing of vehicles, including but not limited to paid parking used by the general public. This term shall not include any parking lot owned, operated, or managed by any governmental agency or institution, by a political subdivision, or by a public trust.

(2) *Vehicle* shall mean any device by which any person or property is or may be transported or drawn upon a highway, whether or not operational.

(3) *Vehicle immobilization* shall mean the incapacitating or immobilizing of any vehicle without the permission of the owner or agent of the owner of the vehicle by use of a vehicle immobilization device.

(4) *Vehicle immobilization device* shall mean any device, object, mechanism or method, whether or not attached to a vehicle, that prevents the owner of the vehicle or his authorized agent from freely moving the specific vehicle from the place where it is immobilized.

(c) *Vehicle Immobilization Prohibited.* No person owning, operating, or managing a private parking lot shall immobilize vehicles present on such property through the use of a vehicle immobilization device.

(d) *Exception.* This section does not apply to persons immobilizing a vehicle on behalf of any governmental agency or institution, political subdivision, or public trust.

(e) *Violations.* Any person who violates this section shall be guilty of a misdemeanor and, upon conviction, shall be guilty of a Class “a” offense. For second and subsequent convictions, the person shall be guilty of a Class “b” offense.

SECTION 2. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of The City of Oklahoma City and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

INTRODUCED AND CONSIDERED in open meeting of the Council of the City of Oklahoma City this 27th day of March, 2012.

PASSED by the Council of The City of Oklahoma City this 10th day of April, 2012.

SIGNED by the Mayor of The City of Oklahoma City this 10th day of April, 2012.

Mick Cornett
MAYOR

ATTEST: (Seal)

Frances Kersey
CITY CLERK